

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

WRIT PETITION No.19027 of 2015

ORDER:

This writ petition is filed under Article 226 of the Constitution of India seeking the following relief:

“to issue Writ of Mandamus to declare the action of the respondents in calling the petitioner to come to 3rd respondent Police Station and making him to sit till 10.30 and taking an undertaking to give the property to respondents 5 and 6, else threatening with implicating him in false cases and also with dire consequences as arbitrary, illegal and also abuse of power and consequently direct the respondents not to interfere in civil disputes between the petitioner and respondents 4 to 6 and not to put any pressure on him to dispose of his property in favour of respondents 5 and 6 and also direct the 3rd respondent to return 32 Bore Revolver No.1308641 of the petitioner forthwith and direct not to interfere in his civil liberty.”

Heard Sri T.P. Acharya, learned counsel for the petitioner and learned Government Pleader for Home for respondents, apart from perusing the material available before this Court.

Today, when the matter is called, written instructions, dated 01-07-2015 furnished by the Inspector of Police, Uppal Police Station, Cyberabad Commissionerate have been placed on record by the learned Government Pleader for Home and the said instructions read as under:

“One Smt.Nareddy Manohara – 6th respondent herein (daughter-in-law of the petitioner herein) had approached the Police of Uppal Police Station, Cyberabad and submitted a petition, dated 16-06-2015 stating that her marriage took place with the son of the petitioner herein namely Sridhar Reddy about 8 years back and at the time of her marriage, her

parents given 1 Kg. Gold, 20 Lakhs cash towards dowry to her parents-in-law. At the time of marriage, her father-in-law (petitioner herein) falsely stated that he is having 20 acres land, two houses and real estate business and also two cars and by saying, performed her marriage with his son. In fact, her father-in-law is having 2 houses, land an extent of Ac.1-20 gts., and Ac.0-26 gts. Her mother-in-law expired 3 years back due to ill health. Her father-in-law informed her that he is going to perform second marriage and upon which, she asked about her dowry money and money which was spent towards the expenses for the death of her mother-in-law. Her father-in-law on 20-05-2013 agreed to give Ac.1-20 gts., and Ac.0-20 gts., and also give a house situated at Attevelli village to her before the elders and the same was written on a stamped paper. But he failed to do so.

She further stated that whenever she asks about the property, the petitioner (father-in-law) used to abuse her through her son.

Her father-in-law had given wrong information about the actual properties at the time of her marriage and cheated. He did not give any money or property to her and children and daily harassing her. Hence, she requested the police to summon her father-in-law and counsel them and do justice.

Upon receipt of the above petition, to know the veracity in the contents of the petition of the daughter-in-law of the petitioner herein, this respondent summoned the petitioner to the Police Station and got the matter enquired with him.

It is pertinent to note that on summoning, the petitioner approached this respondent Police Station with a revolver. When the respondent police asked the petitioner to show the licence of the same he did not shown any documentary evidence to that effect. Hence, asked the petitioner to submit the relevant documents for possession of the revolver. He promised the respondent police to submit the relevant documents on the very next date i.e., 22-06-2015 and went away. He did not turn up to the Police Station till date. But, however, filed the present writ petition with false, baseless and concocted allegations.

For non-submission of any documentary evidence regarding the revolver of the petitioner herein, the same was kept under the custody of this respondent Police Station.

It is humbly submitted that as of now, no case whatsoever was registered on the file of Uppal Police Station, Cyberabad against the petitioner herein.

If the petitioner approaches this respondent, this respondent is ready and willing to hand over the revolver to the petitioner herein.

I humbly submit that it appears that there are disputes between the petitioner as well as his daughter-in-law. This respondent advised the complainant to seek her redressal in a competent civil court but no action whatsoever was taken on her complaint.

It is pertinent to submit that on her request only, this respondent police in good faith, to know the veracity in the contents of the petition, summoned the petitioner and enquired the matter. But he approached this respondent Police Station with a revolver. To prevent any untoward incident, the same was deposited into the safe custody of the Police Station. This respondent is ready and willing to hand over the same if the petitioner approaches this respondent Police Station.”

On noticing the said instructions including the statement of the Inspector of Police, Uppal Police Station that he is ready and willing to hand over the revolver to the petitioner, it is submitted by the learned counsel for the petitioner that the petitioner will go to the Police Station along with one of the colleagues of the learned counsel for the petitioner and necessary direction may be issued to the police to hand over the revolver to the petitioner herein.

In view of the above submission, this writ petition is disposed of, keeping it open to the petitioner herein to approach the police accompanied by one of the colleagues of the learned counsel for the petitioner to collect the revolver from the police subject to the production of relevant documents. On production of the same, the respondent – police shall hand over the revolver to the petitioner after due verification. There shall be no order as to costs.

Pending miscellaneous petitions, if any, shall stand closed

in the light of this final order.

A.V. SSHA SAI, J

August 03, 2015

Note: Furnish C.C. in

two (2) days. B/o.Pn

THE HON'BLE SRI JUSTICE A.V. SETHA SAI

—

—

1

WRIT PETITION No.19027 of 2015

August 03, 2015

Note: Furnish C.C. in

two (2) days. B/o.Pn

